

REMARKS

This Rule 312 Amendment is being submitted at the Examiner's invitation, to restore the claims to the condition they were in prior to the Examiner's Amendment.

The Examiner's Amendment was made by the Examiner, without prior discussion with Applicants' representative, and the amendment is contrary to the Applicants' intent.

Although the Examiner apparently believed that the amendment was necessary to make the claim consistent with the specification, the fact of the matter is that the claim was already consistent with the specification. Thus, at page 6, line 1, the expression "at least difunctional..." can be found, and the same expression can be found at page 10, line 14.

Furthermore, at page 11, line 29 "trimerized types" is recited.

In addition, Example 6 recites Desmodur N 3300, which is a triisocyanate, as shown by the attached product data sheet.

Clearly, Applicants' specification is directed to polyisocyanates which are at least difunctional, and that the difunctionality represents a minimum functionality; the functionality can clearly be greater than difunctional.

A review of Applicants' Priority Document reveals that translation errors occurred in the language at page 8, line 10, wherein the expression "at least one difunctional..." should have been -- at least one at least difunctional...--. The same error occurred in the translation of page 11, lines 18 and 19 and in original claim 2.

Nevertheless, support for "at least difunctional" still is found in the specification, as indicated above. Moreover, even though the expression "at least one difunctional" occurred through error, this expression is a subspecies of "at least difunctional", and therefore is supported.

Finally, the proposed amendment merely restores claim 1 to its original condition, and therefore does not represent any new matter. Since the Examiner's amendment was made without Applicants' consent, fundamental fairness dictates that this Rule 312 amendment, restoring the claim to its prior condition, be entered.

Favorable action is respectfully solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

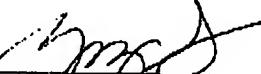
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Respectfully submitted,
NORRIS, McLAUGHLIN & MARCUS, PA

By 
William C. Gerstenzang
Reg. No. 27,552

WCG:tmo
875 Third Avenue, 18th Floor
New York, New York 10022
(212) 808-0700

I hereby certify that this correspondence is being transmitted via facsimile no. 571-273-8300 to the United States Patent and Trademark Office, addressed to: Mail Stop Issue Fee, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2006.

By 
Zsuzsa Schuster
Date September 28, 2006